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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA

6 UNITED STATES OF AMERICA,

7 Plaintiff,

8 v.

9 FIDEL RODRIGUEZ,

10 Defendant.

3:20-CR-00006-RCJ-WGC

**Preliminary Order of Forfeiture**

11 This Court finds Fidel Rodriguez pled guilty to Counts One and Two of a Six-Count  
12 Indictment charging him in Count One with interference with commerce by robbery in  
13 violation of 18 U.S.C. § 1951 and in Count Two with use of a firearm during and in relation  
14 to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(ii). Indictment, ECF No. 12;  
15 Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

16 This Court finds Fidel Rodriguez agreed to the forfeiture of the property set forth in  
17 the Plea Agreement and the Forfeiture Allegations of the Indictment. Indictment, ECF No.  
18 12; Change of Plea, ECF No. \_\_; Plea Agreement, ECF No. \_\_.

19 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United  
20 States of America has shown the requisite nexus between property set forth in the Plea  
21 Agreement and the Forfeiture Allegations of the Indictment and the offenses to which Fidel  
22 Rodriguez pled guilty.

23 The following property (1) any firearm or ammunition involved in or used in any  
24 knowing violation of 18 U.S.C. § 924(c)(1)(A)(ii), or any violation of any other criminal law  
25 of the United States, 18 U.S.C. § 1951 and (2) any firearm or ammunition intended to be  
26 used in any crime of violence, 18 U.S.C. §§ 924(c)(1)(A)(ii) and 1951, and is subject to  
27 forfeiture pursuant to 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c) and 18 U.S.C. §  
28 924(d)(1), (2)(C), and (3)(A) with 28 U.S.C. § 2461(c):

1 1. SCCY, Model CPX3, .380 Caliber pistol, bearing serial number A000477;

2 and

3 2. any and all compatible ammunition

4 (all of which constitutes property).

5 This Court finds that on the government's motion, the court may at any time enter  
6 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
7 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
8 32.2(b)(2)(C).

9 This Court finds the United States of America is now entitled to, and should, reduce  
10 the aforementioned property to the possession of the United States of America.

11 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND  
12 DECREED that the United States of America should seize the aforementioned property.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory  
14 rights, ownership rights, and all rights, titles, and interests of Fidel Rodriguez in the  
15 aforementioned property are forfeited and are vested in the United States of America and  
16 shall be safely held by the United States of America until further order of the Court.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States  
18 of America shall publish for at least thirty (30) consecutive days on the official internet  
19 government forfeiture website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall  
20 describe the forfeited property, state the time under the applicable statute when a petition  
21 contesting the forfeiture must be filed, and state the name and contact information for the  
22 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)  
23 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,  
24 the government may instead serve every person reasonably identified as a potential claimant  
25 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.  
26 Rule G(4)(a)(i)(A).

27 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual  
28 or entity who claims an interest in the aforementioned property must file a petition for a

1 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which  
2 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §  
3 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's  
4 right, title, or interest in the forfeited property and any additional facts supporting the  
5 petitioner's petition and the relief sought.

6 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,  
7 must be filed with the Clerk of the Court, Bruce R. Thompson U.S. Courthouse and Federal  
8 Building, 400 South Virginia Street, 3rd Floor, Reno, Nevada 89501, no later than thirty  
9 (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days  
10 after the first day of the publication on the official internet government forfeiture site,  
11 [www.forfeiture.gov](http://www.forfeiture.gov).

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the  
13 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States  
14 Attorney's Office at the following address at the time of filing:

15 Daniel D. Hollingsworth  
16 Assistant United States Attorney  
17 James A. Blum  
18 Assistant United States Attorney  
19 501 Las Vegas Boulevard South, Suite 1100  
20 Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice  
22 described herein need not be published in the event a Declaration of Forfeiture is issued by  
23 the appropriate agency following publication of notice of seizure and intent to  
24 administratively forfeit the above-described property.

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
26 copies of this Order to all counsel of record.

27 DATED \_ July 30, 2020.

28   
ROBERT C. JONES  
UNITED STATES DISTRICT JUDGE